



Docket No.: ROSE8009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of: Volkov, et al

Application No.: 09/644,817

Group Art Unit: TBD

Filed: 8/23/00

Examiner: TBD

For: Systems and Methods for Millimeter and Sub-Millimeter Wave Imaging

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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Examiner:

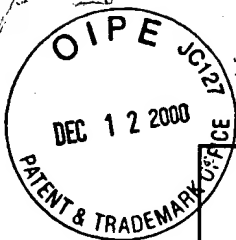
In response to the Notice to File Missing Parts of Application, Applicant respectfully submits the following documents to be filed with the above-referenced Provisional Patent Application:

1. Copy of Notice to File Missing Parts
2. Patent Declaration and Power of Attorney
3. Petition to Include Missing Page in Original Filing
4. Fee Transmittal Sheet.
5. Check in the amount of \$1,495.00

Respectfully submitted,

Ira S. Matsil  
Attorney for Applicant  
Reg. No. 35,272

Slater & Matsil, L.L.P.  
Suite 300  
15150 Preston Road  
Dallas, Texas 75248  
(972) 401-9786  
fax: (972) 401-9787



PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/644,817
Filing Date	08/23/00
First Named Inventor	Volkov
Examiner Name	TBD
Group Art Unit	TBD
Attorney Docket No.	ROS8009

TOTAL AMOUNT OF PAYMENT (\$ 1,495.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number **50-1065**
- Deposit Account Name **Slater & Matsil, L.L.P.**
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed
- ☒ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	345.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 345.00

### 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	87	67	603.00
Independent Claims	11	8	312.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 915.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

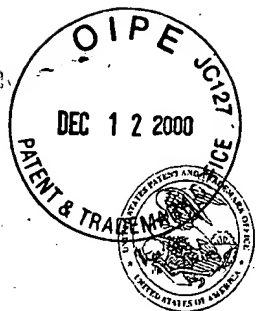
Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 235.00

## SUBMITTED BY

Name (print/type)	Ira S. Matsil	Registration No. (Attorney/Agent)	35,272	Telephone	(972) 401-9786
Signature		Date	12/5/00		



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/644,817	08/23/2000	Leonid Volkov	ROSE-8009

Ira S Matsil  
Slater & Matsil LLP  
Suite 300  
15150 Preston Road  
Dallas, TX 75248

## FORMALITIES LETTER



\*OC000000005469038\*

Date Mailed: 10/12/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 345 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$915.
  - \$603 for 67 total claims over 20.
  - \$312 for 8 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 1325.

12/14/2000	HVUON61	00000059	501065	09644817
03	FC:202			320.00 OP ✓
04	FC:203			603.00 OP ✓
05	FC:201			355.00 OP ✓
06	FC:205	18.00	CH	47.00 OP ✓

The following item(s) appear to have been omitted from the application:

- Page(s) 111 of the specification (description and claims).

1. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

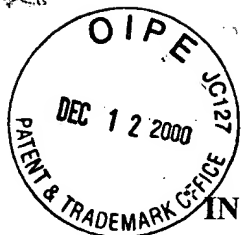
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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



# sector  
#3 ✓

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Volkov, et al.

Art Unit: TBD

Serial No.: 09/644,817

Examiner: TBD

Filed: August 23, 2000

Docket: ROS8009

For: SYSTEM AND METHODS FOR MILLIMETER AND SUB-MILLIMETER  
WAVE IMAGING

**Certificate of Mailing**

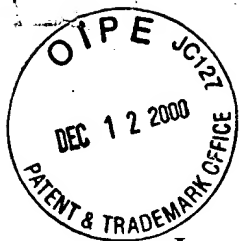
I hereby certify that on this 6<sup>th</sup> day of December, 2000, the following documents, which are enclosed, are being deposited with the United States Postal Service First Class Mail in an envelope addressed to BOX: MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231:

- Petition to Include Missing Page in Original Application
- Response to Notice of Missing Parts
- Fee Transmittal (original and 1 copy)
- Check for \$1,495.00
- Original Signed Declaration and Power of Attorney
- Assignment Recordation Cover Sheet (1 page)
- Copy of Signed Assignment (2 pages)
- Return Postcard

Respectfully submitted,

*Nancy J. Todd*  
Nancy J. Todd

NJT  
Attachments



#3  
Docket No.: ROSE8009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Volkov, et al

Application No.: 09/644,817

Filed: 8/23/00

Group Art Unit: TBD

Examiner: TBD

For: Systems and Methods for Millimeter and Sub-Millimeter Wave Imaging

PETITION TO INCLUDE MISSING PAGE IN ORIGINAL FILING **RECEIVED**

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, DC 20231

MAY 17 2001

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

Dear Sirs:

Applicants respectfully request that page 111 of the above referenced patent application be included as part of the original filing. This petition is being filed within two months of receipt of notice from the PTO.

**FACTS**

1. On August 23, 2000, Applicants filed the above-referenced application, which included 123 pages of specification. This is evidenced by the Certificate of Mailing via Express Mail in Attachment A.
2. Attachment B shows a receipt from the United States Postal Service showing a "date-in" of August 23, 2000. The number of the Express Mail label was placed on the paper, as evidenced by the Certificate of Mailing.
3. Attachment B also shows a return postcard stamped by the PTO acknowledging the receipt of 123 pages of specification.

Applicants respectfully request that Page 111, a copy of which is provided herewith, be included with the patent application as originally filed.

Should any questions arise, the Office can telephone Applicants' attorney at the below telephone number.

12/14/2000 HVUONG1 00000059 501065 09644817

02 FC:122 130.00 OP

Adjustment date: 06/11/2001 AKELLEY  
12/14/2000 HVUONG1 00000059 09644817  
02 FC:122 -130.00 OP

Slater & Matsil, L.L.P.  
Suite 300  
15150 Preston Road  
Dallas, Texas 75248  
(972) 401-9786  
fax: (972) 401-9787

Repln. Ref: 06/11/2001 AKELLEY 000807350V  
Date: 501065 Name/Number: 09644817  
FC: 704 \$130.00 CR

Respectfully submitted,

Ira S. Matsil  
Attorney for Applicant  
Reg. No. 35,272

The stamp of the USPTO, placed hereon, acknowledges receipt of:

The stamp of the USPTO, placed hereon, acknowledges receipt of:

Applicant: Volkov et al.

Attorney Docket: Rose-8009

Serial No: TBD

Art Unit: TBD

Date Mailed: August 23, 2000

Date Due: August 23, 2000

Express Mail Label No.: EL420107086US

- Utility Patent Application Transmittal
- Combined Declaration and Power of Attorney (unsigned)
- Patent application
  - specification (123 pages)
  - drawings (61 pages)
- Return postcard

JC542 U.S. PTO

09/644817



08/23/00

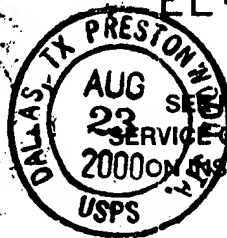
**POST OFFICE  
TO ADDRESSEE**



\*EL420107086US\*

EL420107086US

<b>ORIGIN (POSTAL USE ONLY)</b>	
PO ZIP Code 75214	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second
Date in Mo. 8 Day 23 Year 00	Postage \$
Time in <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Return Receipt Fee
Weight lbs. 15.3 ozs.	Int'l Alpha Country Code
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials 154
	Total Postage & Fees \$ 15.34



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INSURANCE COVERAGE

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<b>CUSTOMER USE ONLY</b>	
<b>METHOD OF PAYMENT:</b> Express Mail Corporate Acct. No. _____ Federal Agency Acct. No. or Postal Service Acct. No. _____	
<input type="checkbox"/> <b>WAIVER OF SIGNATURE</b> (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.	
<input checked="" type="checkbox"/> <b>NO DELIVERY</b> <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	
Customer Signature _____	
<b>FROM: (PLEASE PRINT)</b> CLAYTON S. NATELL LLP 15111 PRESTON RD STE 200 DALLAS TX 75244 PHONE 972-401-9781	<b>TO: (PLEASE PRINT)</b> Volkov et al. 15111 Preston Rd Ste 200 Dallas TX 75244 PHONE _____
<b>PRESS HARD.</b> You are making 3 copies. <b>FOR PICKUP OR TRACKING CALL 1-800-222-1811</b> <a href="http://www.usps.gov">www.usps.gov</a>	

EL420107086US

ATTACHMENT B



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Volkov et al.

Art Unit: TBD

Serial No.: TBD

Examiner: TBD

Filed: herewith

Docket: Rose-8009

For: Systems and Methods for Millimeter and Sub-Millimeter Wave Imaging

**Certificate of Mailing via Express Mail**

**EXPRESS MAIL** mailing label number: EL420107086US

Date of Deposit: August 23, 2000

I hereby certify that the following documents, which are enclosed, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: BOX: Patent Application, Assistant Commissioner for Patents, Washington, DC 20231:

- Utility Patent Application Transmittal
- Combined Declaration and Power of Attorney (unsigned)
- Patent application
  - specification (123 pages)
  - drawings (61 pages)
- Return postcard

Respectfully submitted,

Ira S. Matsil

**ATTACHMENT A**